

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

1 Joseph Daniel Fernandez (GUARD/P) Case No. 13CEPR01025 Petitioner: Isabel Mary Cedillo (pro per)

Petition for Visitation

		ISABEL CEDILLO, paternal grandmother,	NEEDS/PROBLEMS/COMMENTS:
		is petitioner.	
		ANNETTE FERNANDEZ , maternal grandmother, was appointed guardian	Need Notice of Hearing.
Cont. from		on 1/23/14.	2. Need proof of service of the
Aff.Sub.Wit.			Notice of Hearing on:
✓ Verified			a. Annette Fernandez (guardian)
Inventory			
PTC			
Not.Cred.			
Notice of	Χ		
Hrg			
Aff.Mail	Χ		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf.			
Screen			
Letters			
Duties/Supp			
Objections			
Video			
Receipt			
CI Report			
9202			
	Χ		
Aff. Posting			Reviewed by: KT
Status Rpt			Reviewed on: 10/11/16
UCCJEA			Updates:
Citation			Recommendation:
FTB Notice			File 1- Fernandez

1

2 Travis Dale Clark (CONS/P)

Case No. 14CEPR00589

Conservator: Christine Clark (pro per)

Attorney: Heather H. Kruthers (for the Public Guardian)

Probate Status Hearing Re: Possible removal of Conservator

	CHRISTINE CLARK, spouse, was appointed	NEEDS/PROBLEMS/COMMENTS:
	conservator on 8/13/14.	Note: Minute order dated 6/20/16 - the Court removed
Cont. from 062016, 080116 Aff.Sub.Wit.		Christine Clark as conservator and appointed the Public Guardian until a successor conservator could be appointed.
Inventory PTC Not.Cred.		At the hearing on 8/1/16 the Public Guardian requested a 60 day continuance indicating
Notice of Hrg Aff.Mail		a conservatorship may not be necessary.
Aff.Pub. Sp.Ntc.		Declaration of Deputy Public Guardian Gary Healy re: No Need for a Conservatorship
Pers.Serv. Conf. Screen		was filed on 9/28/16.
Letters Duties/Supp Objections		
Video Receipt		
CI Report 9202 Order		
Aff. Posting Status Rpt		Reviewed by: KT Reviewed on: 10/11/16
UCCJEA Citation FTB Notice		Updates: Recommendation: File 2- Clark

2

Case No. 15CEPR00793

Kruthers, Heather H. (for Public Administrator)

Status RE: Administration and Filing of the Inventory and Appraisal

DOD: 2/24/15	SPECIAL ADMIN EXPIRES 10/17/16	NEEDS/PROBLEMS/COMMENTS:
	The PUBLIC ADMINISTRATOR was appointed Special Administrator on 4/18/16, and Administrator on 6/13/16.	 Need status report from PA pursuant to Local Rule 7.5. If full administration will be
Aff.Sub.Wit.	At hearing on 6/13/16, the Court set this status hearing re filing the I&A.	completed, need publication for jurisdiction pursuant to Probate
PTC Not.Cred. Notice of	Due to various issues re this matter, the PA submitted and the Court issued further Letters of Special Administration rather than general administration. See below note re	Code §8120. 3. If full administration will be completed, need Final Inventory and Appraisal pursuant to Probate
Aff.Mail Aff.Pub. Sp.Ntc.	history. Note re history: The original petition for probate filed 8/14/15 by possible creditors Jim Carter and Debra	Code §8800. Note: According to an I&A filed prematurely by the original petitioners without appointment, the estate will
Pers.Serv. Conf. Screen Letters Duties/Supp	Burgess, had numerous deficiencies including but not limited to lack of publication; therefore, the Court appointed the PA to review whether administration was necessary.	contain real property valued at \$140,000 and personal property (the contents of the home) valued at \$28,740 (total value \$168,740). The PA's status report filed 6/2/16 stated Jim
Objections Video Receipt	A declaration by Debra Burgess filed 5/20/16 clarified their relationship to the decedent – they were	Carter did not turn over the keys, and reportedly checks on the home weekly although he resides in the Bay Area.
CI Report	attempting to assume certain debt of \$10,000 secured by the decedent's	Note: The original petitioners obtained a
9202 Order	residence from a lender. The declaration appeared to attempt to cure defects in their original petition; however, no formal amendment was filed.	nomination from the niece. According to various file documents, the deceden was survived by cousins and a niece; however, it does not appear that a family tree has been provided to the Court for verification of notice and heirship under intestate succession.
Aff. Posting	The Court appointed the PA as	Reviewed by: skc
Status Rpt	Administrator on 6/13/16 and set this status hearing; however, upon	Reviewed on: 10/11/16
UCCJEA	discussion, it was noted that	Updates:
Citation FTB Notice	publication must occur for jurisdiction for administration; therefore, due to lack of funds to publish, further special administration was ordered with an expiration date of 10/17/16.	Recommendation: File 10- Manson

Kaliah Walker (GUARD/E)

Case No. 16CEPR00205

Attorney

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Durost, Linda K. (for Amalia Alvarez – Mother – Guardian of the Estate)

Status RE: Receipt for Blocked Account

	AMALIA ALVAREZ, Mother, was	NEEDS/PROBLEMS/COMMENTS:	
	appointed Guardian of the		
	Estate on 4/4/16 with bond of	Minute Order 9/12/16: Counsel requests 30	
	\$422,400.00 and all funds placed	days.	
0 1 1 0 0 5 3 4 3 4	into a blocked account.		
Cont. from 051616,		Minute Order 8/1/16: Counsel represents	
061316, 071816,	At the hearing on 4/4/16, the	that she is looking into investments for the	
080116, 091216	Court set this status hearing re	funds; the Court will allow the funds to	
Aff.Sub.Wit.	receipt for blocked account.	remain as deposited for now. Counsel is to	
Verified	<u> </u>	provide additional information regarding	
Inventory	Per Minute Order 6/13/16, funds	justification of the requested monthly	
PTC	must be deposited in a blocked	support. The Court approves the attorney	
Not.Cred.	account. The Court does not	fees, and the \$52 in costs for certified	
	order bond at this time. Letters	copies, but does not allow the \$30 for	
Notice of	may issue.	Odyssey filing fees. Counsel will submit an	
Hrg	Letters issued 6/21/16.	order. (Order signed 8/5/16.)	
Aff.Mail	Letters issued 6/21/16.	Note: The following issue remains noted for	
Aff.Pub.	Note: Minute Order 4/4/14 states:	Note: The following issue remains noted for	
Sp.Ntc.	Note: Minute Order 4/4/16 states: The Court orders funds be	reference:	
Pers.Serv.	placed into a blocked account	1. Receipt filed 7/26/16 reflects \$340,005.00	
Conf.	upon receipt. This Court would	was deposited to a blocked account at	
Screen	be open to investment of the	EECU. I&A filed concurrently reflects this	
Letters	funds in the future, and would be	amount as well.	
	looking for Counsel to provide	amooni as well.	
Duties/Supp	specifications/projections with	However, the balance is over the FDIC	
Objections	regard to the investment.	limit of \$250,000.00 (see Probate Code	
Video		§2453 re insured account).	
Receipt	Declaration of Petitioner Amalia	,	
CI Report	Alvarez in Support of Request for	Additionally, Petitioner originally	
9202	Monthly Support Payable from	estimated the amount the minor was to	
Order	Minor's Estate Funds; Costs and	receive at \$384,000.00, but the amount	
	Expense Reimbursement for	deposited was only \$340,005.00.	
	Petitioner; Attorney's Fees and	-	
	Cost Reimbursement for Attorney	Therefore, Need clarification re the	
	was filed 7/28/16.	deposit amount; and need funds broken	
		up so accounts do not exceed	
	SEE PAGE 2	insurance limits.	
1	-		
Aff. Posting		Reviewed by: skc	
Status Rpt		Reviewed on: 10/11/16	
UCCJEA		Updates:	
Citation		Recommendation:	
FTB Notice	1	File 14- Walker	
		14	

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Declaration filed 7/28/16 states at the time of Kaliah's birth, she was dating and living with Kaliah's father, Michael Walker. Although Petitioner worked full time after the first few months of her birth, Mr. Walker provided the majority of financial support for the family.

Petitioner states she has another daughter, Alexis Abarca, whose biological father is alive and they share custody 50/50. Due to that timeshare, and the fact that they make approximately the same amount of money, neither pays support to the other, and they share costs equally for Alexis.

However, Mr. Walker, as the live-in male in the house, had taken seriously the duties of Alexis' father in all ways, including her financial support. He worked full time and brought in a monthly average of between \$4,000-\$6,000 per month, which he used to support the family.

Mr. Walker died in a motor vehicle accident on 7/25/14, and Petitioner has attempted to support herself and the girls on her salary alone of approx. \$2,440 per month. She also receives a monthly stipend of \$1,049.00 per month from Social Security on Kaliah's behalf for her deceased father.

Petitioner filed an Income and Expense declaration on 5/10/16 showing her expenses are approx.. \$3,484.00 per month. After taxes from her gross pay, the net and social security barely allow her to support the girls, especially as they are growing and need clothing, school supplies, extracurricular activities, medical assistance, etc.

Petitioner states she realizes that the monies received on behalf of Kaliah in her minor's account are from the proceeds of Mr. Walker's accidental death policy and are for her future; however, he was too young to realize that by leaving the policy beneficiary directly in Kaliah's and Alexis' names, the funds would not be given to her to help raise them. This was not his intention as he told her many times that she didn't have to worry about raising the girls if something were to happen to him.

Since the gross amount that Michael brought in was in excess of \$4,000-\$6,000 per month, Petitioner asks the Court to award her support from Kaliah's account to assure that she is afforded the best opportunities she can afford.

They currently do not live in a very good area. Petitioner would like to move to a better school district and needs support to do that. She is asking for \$2,000.00 per month from Kaliah's funds to assist with her support.

Petitioner also requests reimbursement of the filing fee of \$435.00, which she paid from her own funds.

Petitioner states her attorney, Linda Durost, has prepared documents to initiate this guardianship and has been kind enough to charge a minimal charge of \$1,800.00 as a flat fee, plus \$30.00 for Odyssey filing fees and \$52.00 for certified copies of the father's death certificate. Petitioner requests to pay the attorney's fees and costs.

Durost, Linda K. (for Petitioner Amalia Alvarez)

Status RE: Receipt for Blocked Account

		AMALIA ALVAREZ, Mother, was	NEEDS/PROBLEMS/COMMENTS:
		appointed Guardian of the Estate on 4/4/16 with bond of \$102,000.00 and all funds placed into a blocked	Minute Order 9/12/16: Counsel requests 30 days.
061	nt. from 051616, 1316, 071816, 0116, 091216 Aff.Sub.Wit.	At the hearing on 4/4/16, the Court set this status hearing re receipt for blocked account.	Minute Order 8/1/16: Counsel is to provide additional information regarding justification of the requested monthly support. The Court approves
	Verified Inventory PTC	Per Minute Order 6/13/16, funds must be deposited in a blocked account.	the attorney fees. Counsel will submit an order. (Order signed 8/5/16.) Note: The following issue remains
	Not.Cred.	The Court does not order bond at this time. Letters may issue.	noted for reference:
	Notice of Hrg Aff.Mail	Letters issued 6/21/16.	Receipt filed 7/26/16 reflects \$85,000.00 was deposited to a blocked account at EECU.
	Aff.Pub. Sp.Ntc.	Note: Minute Order 4/4/16 states: The Court orders that the funds be placed into a blocked account upon receipt.	I&A filed concurrently reflects this amount as well.
	Pers.Serv. Conf. Screen	This Court would be open to investment of the funds in the future, and would be looking for Counsel to	However, Petitioner originally estimated that the minor was to
	Duties/Supp Objections	provide specifications/projections with regard to the investment. The issue of bond is taken under advisement by	receive at \$96,000.00. The Court may require clarification
	Video Receipt	the Court. Counsel may provide additional justification regarding the support issue in this matter.	regarding the amount deposited.
	CI Report 9202	Declaration of Petitioner Amalia	
	Order	Alvarez in Support of Request for	
	Aff. Posting	Monthly Support Payable from Minor's	Reviewed by: skc
	Status Rpt	Estate Funds; Costs and Expense	Reviewed on: 10/11/16
	UCCJEA	Reimbursement for Petitioner; Attorney's Fees and Cost Reimbursement for Attorney was filed	Updates:
	Citation		Recommendation:
	FTB Notice	7/28/16.	File 15- Abarca
		SEE PAGE 2	

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Declaration filed 7/28/16 states she shares 50/50 custody of Alexis with Alexis's father, Octavio Abarca. Because they make approx. the same wages and share custody, neither pays support to the other. They do their best to share expenses, but sometimes Petitioner ends up paying more than he does.

Petitioner has another daughter, Kaliah Walker, whose father is deceased. Mr. Walker was the live-in male in the house and had taken seriously the duties of Alexis' father in all ways, including her financial support. He worked full time and brought in a monthly average of \$4,000-\$6,000 per month, which he used to support the entire family. The funds in Alexis' minor's account were proceeds from an accidental death policy that Mr. Walker carried on himself in case of disability or death.

Mr. Walker died in a motor vehicle accident on 7/25/14, and Petitioner has attempted to support herself and the girls on her salary alone of approx. \$2,440 per month gross.

Petitioner filed an Income and Expense declaration on 5/10/16 showing her expenses are approx.. \$3,484.00 per month. After taxes from her gross pay, the net and social security barely allow her to support the girls, especially as they are growing and need clothing, school supplies, extracurricular activities, medical assistance, etc.

Petitioner states she realizes that the monies received on behalf of Alexis in her minor's account are from the proceeds of Mr. Walker's accidental death policy and are for her future. However, she believes it was Michael's intent that she would receive the funds to help raise them. He told hermany times that she would not have to worry about raising the girls if something were to happen to him. She doesn't think he really understood that the effect of the beneficiary designation forms for his insurance would be distributed in the manner that they are.

Since the gross amount that Michael brought in was in excess of \$4,000-\$6,000 per month, Petitioner asks the Court to award her support from Alexis' account to assure that she is afforded the best opportunities she can afford.

They currently do not live in a very good area. Petitioner would like to move to a better school district and needs support to do that. She is asking for \$500.00 per month from Alexis' funds to assist with her support.

Petitioner also requests reimbursement of the filing fee of \$435.00, which she paid from her own funds.

Petitioner states her attorney, Linda Durost, has prepared documents to initiate this guardianship and has been kind enough to charge a minimal charge of \$1,800.00 as a flat fee. Petitioner requests to pay the attorney's fee.

Lonzo Brown (CONS/P)
Brown, Bobbiette (Pro Per – Daughter – Petitioner)

Petition for Appointment of Probate Conservator of the Person

		See petition for details.	NEEDS/PROBLEMS/
			COMMENTS:
			Minute Order 8/1/16:
			Continued for reciprocal
	nt. from 061616,)116		investigation.
000	Aff.Sub.Wit.		The following issues remain
	Verified		noted:
	Inventory		
	PTC		1. Need advisement of
	Not.Cred.		rights and investigation per Probate Code §§
	Notice of		1823, 1826.
	Hrg		·
~	Aff.Mail W		2. Need video receipt per
	Aff.Pub.		Local Rule 7.15.8.A.
	Sp.Ntc.		
~	Pers.Serv. W		
	Conf.		
	Screen		
~	Letters		
~	Duties/Supp		
	Objections		
	Video x		
	Receipt		
	CI Report X		
_	9202 Order		
lĚ	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed by: SRC
	UCCJEA		Updates:
~	Citation	•	Recommendation:
	FTB Notice	4	File 16- Brown
<u>L</u>	1121101100	1	1 2.0

19 Rose Banuelos (Det. Succ)

Petitioner: Mary Louise Espinosa (Pro per – Daugther)

Petition to Determine Succession to Real Property

Petition to Determine Succession to Real Property			
DC	D: 2/9/2001	MARY ESPINOSA, daughter, is	NEEDS/PROBLEMS/COMMENTS:
		petitioner	
		40 days since DOD	Continued to 11/14/2016
		40 days since DOD	@ request of petitioner.
	ont. from 091216	No other proceedings	
		I&A - \$55,000.00	Need AMENDED petition based on but not
	Aff.Sub.Wit.	100/100	limited to the following issues:
✓	Verified	Decedent died intestate	Case was opened with a fee waiver.
	Inventory	Petitioner requests court	Court fees are considered costs of
	PTC	determination that decedent's	administration; therefore, fees must be
	Not.Cred.	100% interest in real property	paid prior to an order being signed.
	Notice of X	located at: 414 S. Backer Avenue,	2. Attachment 14 of petition indicates that
	Hrg	Fresno, CA passes to petitioner in	decedent was survived by four adult
	Aff.Mail X	its entirety.	children. All heirs entitled to succeed to
	Aff.Pub.		decedent's real property must petition together. (Prob C§ 13152(a))
	Sp.Ntc.		3. Items 9a(1),(2) of the petition were not
	Pers.Serv.		answered regarding if decedent was
	Conf.		survived by a spouse.
	Screen		4. Items 9a(3),(4) of the petition were not
	Letters		answered regarding if decedent was
	Duties/Supp		survived by a registered domestic partner.
	Objections		5. Items 9a(7),(8) of the petition were not
	Video		answered regarding if decedent was survived by issue of predeceased child.
	Receipt		6. Need Attachment 11 to petition
	CI Report		containing the legal description of the real
	9202		property and its APN number, and
1	Order		decedent's interest in the real property.
			7. Item 5 of the inventory and appraisal is
			incomplete regarding the property tax
			certificate.
			8. Need proof of service of Notice of
			Hearing with at least 15 days notice on
			all parties listed on item 14 of petition.
			(Prob C§ 13153)
	Aff. Posting		Reviewed by: SEF
	Status Rpt		Reviewed on: 10/11/2016
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 19- Banuelos
			19